

WATERMASTER'S REPORT

From May 1, 2013 To Oct 31, 2013

Water District No. 75 E

Name of Watermaster Wallau Cr. - Steve Adams

P.O. Address 1411 Bryant Ave Salmon, ID 83467

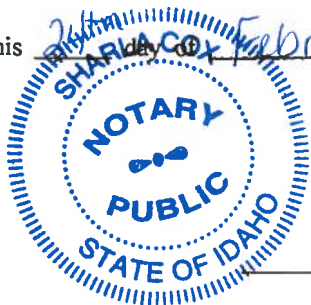
AFFIDAVIT OF WATERMASTER

STATE OF IDAHO }
COUNTY OF Lemhi } ss.

Steve Adams, being first duly sworn, deposes and says that he is Watermaster of Water District 75 E, having been lawfully appointed by Gary Spackman, Director, Idaho Department of Water Resources, and that the volumes of water, as stated in this report and prorated by him to the water right holders of the district are correct.

(Deputy) Watermaster District No. 75 E

Subscribed and sworn to before me, this



(SEAL)

My Commission expires Sept 12, 2014

Boise, Idaho, February 24, 2014

I HEREBY CERTIFY, that Steve Adams was lawfully appointed by me as Water Master of Water District No. 75 E, and that the information contained in this report, as herein sworn to, is, to the best of my knowledge and belief, correct.

Gary Spackman
Director, Department of Water Resources

By Janice McInerney

memo

RECEIVED

FEB 14 2014

Department of Water Resources
Eastern Region

To: Water District 75 E Advisory Board care of Heber Stokes
From: Steve Adams
CC: Nick Miller
Date: 4/9/2013
Re: District Business

Enclosed are several items that need Board attention.

The first is the Adopted Budget and Resolutions form from IDWR. I have attached with it the proposed budget and allocated monies for each water user as well as the water users' addresses. The budget sheet shows the budget amount and spreads that budget across each user based on the base fee of \$50 plus the additional CFS charge based on the balance of budget owed and water right.

Each water right user needs to be sent their assessment and a means to track each assessment payment needs to be established.

I have enclosed Linda Heffner's check that she handed me in March to be applied to her accountant.

The second item is the necessary paperwork to establish your account at Eastern Idaho Credit Union. As I do not have your minutes and cannot attest as the Secretary and do not have your Federal I.D. Number this is something the Board will need to follow up on.

If you have any questions or would like to get together to discuss anything let me know.



Wallace Creek Water District
Annual Report 2013

RECEIVED

FEB 14 2014

Department of Water Resources
Eastern Region

This report is a summary of the activities and finding from the Water Master of the recently reactivated Wallace Creek Water District, 75E.

As with most new activities there is a significant learning curve to understand the subject matter. In the case of the 75E Water District this includes legal, physical, historical and outside issues.

The legal understanding of the deliverance of water delivery while straight forward in language appears to be tempered in the reality of existing ditch systems, local practice and willingness of local law enforcement. With the enforcement of water delivery the priority of the water master the first year was spent learning the physical location of the points of diversion and the weirs associated with those diversions.

The Water District users were not interested in daily readings and due to the remote location of several of these diversions daily readings were not feasible with the budget that the District approved. Additionally the District did not get its necessary bank account and employer ID # prior to the irrigation season start so the actual diversion review and readings did not start until early May. Diversion readings were based on available time, changes in weather and calls for water.

Historical practices of individual and Association appointed water masters created some issues to resolve. The first was the issue of who controlled the Savage Ranch Ditch. Outside issues of threatened species, environmental impact and legal easement ownership brought federal administrative staff to call a special meeting of the Savage Ditch users group. That meeting informed the group that the ditch they used was on federal lands and not legally controlled by them (the Association) due to an easement granted to a single individual of the group under the Colorado Ditch Bill. Regardless of the legal issues, the group found that the legal easement holder had gone on record with the USFS that he did not want water going down the ditch.

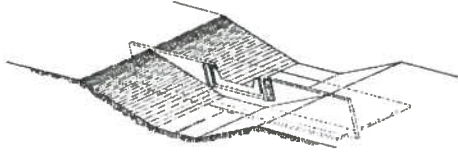
This declaration created a concern that the legal delivery of water would be a federal offense. Upon consultation with Idaho Attorney staff it was determined that if there was a call for water the water would be delivered. The USFS was not happy with this decision and there was a threat that the Water Master would be charged under federal law. Fortunately this did not come to pass.

In May the individual that had the easement removed the lock that controlled the head gate structure of the Savage Ditch diversion, shut the water off and put his own lock on it. With a Lemhi County deputy on-site the issues were reviewed and the deputy was able to convince the individual to provide a key so that the control structure could be used. Again the Attorney General staff was contacted to be sure that the issue of water delivery was appropriate. Until that decision was made the Savage Ditch users were without water.

Historical uses of diversions and ditches revealed several items and issues.

The first is that there is no Moody Ditch and the Stokes/Thomas Ditch is incorrectly identified based on historical uses and involvement.

The first diversion on the South Fork of Wallace Creek is the Stokes diversion. Historically this ditch has been maintained by the Stokes family and the Moody family. There is a discrepancy in the legal description of the Moody diversion that needs to be corrected to match the actual point of diversion.



Wallace Creek Water District Annual Report 2013

The second diversion on the South Fork of Wallace Creek has historically been controlled and maintained by the Thomas family. Actual descriptions of the Thomas points of diversion do not correlate with the IDWR descriptions. The diversion structure at this diversion needs to be reviewed by IDWR as it does not meet the diversion control requirements.

The two separate diversions travel in separate ditches and converge into a common natural gulley that brings the combined waters to a ditch above the Moody property. It is at this point that the Moody, Thomas and Stokes waters are diverted to their appropriate points of use.

The Savage Ditch Association has appointed a water master and they appear to have a workable program that satisfies the group. They have just recently resolved the issue of the easement ownership and are working towards further resolutions of water delivery.

The main stem of Wallace Creek, specifically the "Lower Ditch" diversion users have some issues that are more of an internal issue than that of the point of diversion and the legal concern of the Water Master. As the summer progressed and the individual diversion users became comfortable with the Water Master the majority of the phone calls and personal interactions were involved with equitable delivery and uses of water on this diversion.

It is the recommendation of the Water Master that the Lower Ditch groups come together and appoint a diversion water master. If that is not possible it is the recommendation of the Water Master that IDWR consider appointing this diversion water master as it obvious that the individual water rights are not being delivered as per the diversion rates apportioned the individual properties.

Even though there was a lack of water by the end of May and early June to meet full delivery rates, it appeared that most of the water users were satisfied that they were treated fairly and the issues were resolved based upon priority dates instead of personal or historical practices. I also saw a willingness to work together.

Attached are correspondences and records of incidents for the file as well as a spreadsheet that guesstimates water delivery volumes for the diversions. This spreadsheet is not an official water master report in the form that is prescribed by IDWR, but due to the late start and lack of knowing exactly what was to be done this is what I will submit for this year. With new knowledge, changes to the Thomas weir and diversion and more time to record actual diversion rates the delivery volume will be more concise.

Respectfully submitted:

Steve Adams

Date: Fri, 7 Jun 2013 09:12:49 -0600 [09:12:49 MDT]
From: Miller, Nick <Nick.Miller@idwr.idaho.gov>
To: sadams@youthemploymentprogram.org
Cc: Baxter, Garrick <Garrick.Baxter@idwr.idaho.gov>, Dale.Gooby@id.usda.gov
Subject: RE: Wallace Creek
Part(s):  2 DOC001.pdf 28 KB

Download All Attachments (in .zip file) 

 1 unnamed 2.84 KB

Steve,

Garrick Baxter spoke with an attorney for the USFS and was sent the attached correspondence that includes a discussion of the watermaster's ability to access the point of diversion for the Savage Ranch Ditch. Mr. Baxter asked that I send you an email to let you know you may go onto USFS land to adjust the Savage Ranch Ditch headgate to deliver all decreed water rights with the Savage Ranch Ditch POD in compliance with state law. However, the attached correspondence also discusses other, potential, implications of turning on the water for any user, including Maulem and Waite. The users may want to review the attached correspondence from the USFS as it may be useful to them in weighing the decision to call for water or deciding how much water to call for.

On a similar topic, to the extent the Wallace Creek water users are interested, the Department would like to help the water users be proactive and find solutions to the ESA concerns on Wallace Creek. The Department is considering sending out a separate letter to all Wallace Creek water users to gauge interest in this. This letter would be issued at a later time.

Also, I've copied this email to Dale Gooby, as his is the only email address I have for the users on the Savage Ranch Ditch. Could you and/or Dale see that the others on the ditch get a copy of this message and the attachment?

Thanks,

Nick Miller, P.E.
Water Distribution Section
Idaho Department of Water Resources
322 E. Front St. Boise, ID 83720-0098
208-287-4956 (Office)
208-287-6700 (Fax)

-----Original Message-----

From: sadams@youthemploymentprogram.org
[mailto:sadams@youthemploymentprogram.org]
Sent: Tuesday, June 04, 2013 6:10 PM
To: Miller, Nick
Subject: Wallace Creek

Nick,

Seems the USFS has some concerns about me sending water to authorized water users. I received a phone call from Gretchen Lampe, the special investigator with the USFS, and she wants me to clarify my statements in the incident report I sent you and the USFS (at their request). She is telling me that I may be a party to a lawsuit if I send water to the water users of the Savage Ditch.

While I feel comfortable with sending her information from the Watermaster Handbook I think this is where IDWR needs to step in and take a position with the USFS on what I am to do and not to do. As discussed this morning there are other diversions on public lands and if Idaho Code does not apply in these situations it is time to get this point clarified.

Ms. Lampe seems to think that I have a personal stake in this situation and doesn't understand the information that you sent me regarding the delivery of water. I would appreciate a conference call with the department's legal counsel and Ms. Gretchen so that this issue is openly discussed and I know the position of the agency, the irrigation district responsibility, and my exposure in this situation.

Steve

Baxter, Garrick

Subject: FW: Wallace Creek

Garrick Baxter
Deputy Attorney General
Idaho Department of Water Resources
322 East Front Street
PO Box 83720
Boise, Idaho 83720-0098
garrick.baxter@idwr.idaho.gov
Phone: (208) 287-4811
Fax: (208) 287-6700

From: Paur, Kenneth - OGC [mailto:KENNETH.PAUR@OGC.USDA.GOV]
Sent: Wednesday, June 05, 2013 9:44 PM
To: Baxter, Garrick
Cc: Gough, Jamie -FS; Hearst, Melissa -FS; Spencer, Steven M -FS
Subject: RE: Wallace Creek

As discussed, the Forest Service has informed the Savage Water Users and its members that they do not have an easement or other Forest Service authorization to go onto National Forest System land to operate or maintain the diversion, headgate, and ditch above the drop pipe that delivers their water right from the ditch. Waite, and any assignee or transferee of an interest in his easement, are the only ones currently authorized to go onto the National Forest to operate or maintain the ditch and diversion above the drop pipe by the easement issued by the Forest Service. In order for the Savage water users to operate or maintain the ditch above the drop pipe, they would have to obtain a Forest Service authorization. In order to grant that authorization, the Forest Service would have to comply with NEPA and other federal laws pertaining to federal actions to authorize the use of national forest land.

However, we have not considered the question of whether a water master, acting under State law, would be authorized to go onto the National Forest to operate the headgate. My initial reaction is that the water master would be acting within the scope of any easement granted for the facilities by the Forest Service if he is administering the water rights in accordance with State law. In other words, the easement to Waite would implicitly authorize the water master to go onto federal land to operate the headgate if necessary to comply with State law. While the water master would have the necessary authorization to go onto national forest land for purposes of operating the headgate under Waite's easement, the terms and conditions of the easement to protect federal land would still have to be met. I know that there has been an issue about water spilling or leaching from either the ditch or the drop pipe and damaging adjacent land, though I believe it was Waite's land that was damaged, which is why I understand that he shut off the water. I believe it has also been alleged that the diversion of the full amount of water adversely affects fish species in Wallace Creek that are protected under the Endangered Species Act.

The Forest Service easement prohibits activities that would violate State or federal law. I do not have enough information to evaluate the allegations that turning on all the water impacts listed species or damages adjacent private property, but the water master should be aware that these assertions have been made. While the water master may be able to act within the scope of Waite's easement to operate the headgate on federal land, the potential consequences of turning the water on should be evaluated in advance.

I'm copying some of the Forest Service's staff people in the Regional Office here who can help to communicate with the District Ranger and other local Forest Service staff.

Incident Report
Wallace Creek Irrigation District
75E

At approximately 6 pm. 5/31/2013 I received a call from Chuck Mualem, President of the Savage Ditch Association, (SDA) informing me that the SDA water master Dale Gooby, found that the lock on the SDA headgate had been removed, the headgate closed and a different lock put on the headgate.

I called the Lemhi County Sheriff dispatch around 6:20 pm and requested assistance from a deputy. I received a call from Deputy Whitson and requested his assistance. Deputy Whitson acknowledged that he knew of the location of the headgate and that the issue was between the Forest Service and Mr. Waite. He stated his opinion was based on his previous investigation of the conveyance and that it was owned by Mr. Waite, the SDA did not have authority to use the conveyance. If Mr. Waite had placed the lock on the headgate he was not going to get involved.

I informed Deputy Whitson that I had no knowledge who put the lock on the headgate and that I was requesting his assistance as the water master to investigate the situation and that his conclusion of who had legal right to the conveyance was not only incorrect but was not why I was requesting his assistance. He finally agreed to meet me at the Diamond Creek Road in 20 minutes.

I met Mr. Mualem at his residence and we proceed to Diamond Creek Road together. Meeting Deputy Whitson we proceeded to the headgate location. Upon arrival Deputy Whitson proceeded to the headgate and both Mr. Mualem and I followed. Upon arrival at the headgate it was found that someone had placed several large rocks in the diversion and closed the headgate. A bronze combination lock, not the original keyed lock, was in the headgate mechanism. I took pictures of both the lock and the rocks in the diversion.

I had come prepared to remove the lock and replace it with a lock of my own. Deputy Whitson informed both Mr. Mualem and me that he did not want anyone touching the lock. He felt he knew who placed the lock and he wanted to discuss it with him before the lock was cut off. When asked about that decision he stated that Mr. Waite had the legal right to the conveyance via a permit from the USFS and that the SDA was not a legal association because they had not been meeting annually and taking notes of their meeting. Mr. Mualem informed Deputy Whitson that as president of the association that was untrue and asked where he got that information. Deputy Whitson said he had gotten the information from "Helen".

Deputy Whitson informed us that if anyone touched that lock he would be writing a citation to all involved. When asked what he was basing that decision on he stated that he had talked to Deputy Penner and that was how they had decided to handle it.

I informed Deputy Whitson that his information was incorrect. Based upon a 5/29/2013 public meeting with the USFS, the USFS acknowledged that Mr. Mualem had legal authority to the conveyance. I also informed him that the headgate had a special use permit from the USFS and that the headgate was the legal control device for the deliverance of water users' waters on the Savage Ditch as well as the delivery for Mr. Mualem's water right. I offered e-mail messages to Deputy Whitson confirming my information and I offered specific information regarding my questions about water delivery to lawful water right holders on the Savage Ditch to Nick Miller from IDWR and opinions from IDWR Attorney general on the specific situation regarding the ditch in question. Deputy Whitson informed me that this had nothing to do with IDWR and that he was demanding that nobody touch the lock until he returned.

At this point Mr. Gooby arrived and we all waited for approximately 45 minutes waiting for the return of Deputy Whitson. As a new watermaster I felt I was uncertain of my responsibilities at this point. I had brought my Watermaster Handbook and read the various portions of Idaho Code regarding tampering with headgates and watermaster's responsibilities. Based upon my reading of the various code references I felt that if an individual could be identified for the tampering with the headgate and the placement of rock in the diversion that said individual could be cited for a misdemeanor.

Upon Deputy Whitson's return he informed us that Mr. Waite acknowledged that the lock was his and that he had closed the headgate but left Mr. Mualem's water flow in the ditch. Deputy Whitson informed us that he had called the USFS forest ranger, Jay Weinfield and that he had been informed by the ranger that any water users other than Mr. Mualem or Jeff Waite that called for water would be issued citations for trespass by the USFS and that the ranger wanted to be informed as to whom those individuals calling for water were. Deputy Whitson gave me the ranger's cell phone number with instructions to call the ranger with the requested information.

Deputy Whitson removed the lock. At this point I requested that the Deputy write out a citation to Mr. Waite for the unlawful tampering of the headgate and the placing of rocks in the diversion. Deputy Whitson told me that no citation was going to be written and that he was very aware of Idaho Code dealing with headgates. He informed me that he had talked to the prosecutor and that because the headgate was on federal lands the county was not going to be involved.

I adjusted the headgate to deliver the water rights that had been previously requested by the Association, which is more of a function of what the ditch is able to carry and not what is the legal cfs of all the water right holders. This level is approximately .19 cfs. Deputy Whitson used his index finger to measure the water level at the weir and proclaimed it to be 1.5 inches and said he would use that in his report.

At this point Deputy Whitson left. Upon discussion with the SD water master and Mr. Mualem it was decided by them to have me close the headgate until they were able to discuss this situation with their association members, which I did.

I called USFS ranger, Jay Winfield at approximately 9:45 pm. He did not answer and I left him a message to call me.

June 1st

I was called by Mr. Mualem to go back to the headgate. Upon arrival I unlocked the headgate and raised the gate to the previous location of the gate. The flow at the weir was 1.4 cfs. This is the rate that the SD watermaster had said was a safe flow for the ditch and what the Association users was able to water their respective acreages on a rotational basis. Given the issue of the USFS regarding trespass Mr. Mualem requested that the flow be reduced to his water right of .1 cfs. I adjusted the flow and locked the gate.

In adjusting the flow and measuring flows at the weir, it was obvious that the weir is not a regulation weir and has some construction and maintenance issues. The velocity of the flow is one issue. The other is that there is sediment in front of the weir to within 3-4 inches of the weir invert. The weir is also not perfectly perpendicular to the flow. I discussed these issues with Mr. Mualem and we walked down the ditch approximately 50 feet. At this location the slope of the ditch is almost flat and would be more suitable for a new weir. Mr. Mualem indicated that the Association would look into purchasing a commercial unit.

I have heard from USFS ranger Jay Winfield as of this date.

June 4th at approximately 10:30 am Jay Winfield called. He was requesting the name of individuals that had requested water. I told him that I would send him my incident report that outlined those details.

I asked him about the placement of a better measurement weir. I informed him of the issues I had with the device in place. He informed me that NEPA would be required for that to happen. My response was that the weir in place was not going to give accurate measurements and I did not want to have any issues as to what the delivery rate was at the weir.

Delivery Volumes for Diversions District 75E

Note: Thomas, Savage and Lower diversion rates are proportioned across users to match acutal delivery readings.
Individual water rates delivered via internal diversions of ditch system.
District budget did not provide for daily delivery recording of diversion rates.

| User ID | Username | Diversion Name(s) | Diversion rate | Days | Acre Feet |
|-------------|--------------------|----------------------------|----------------|-----------|-----------|
| Stokes Div. | 1.91 | | April- June | Delivered | Delivered |
| 18 | JAMES MOODIE (.01) | Stokes/Moodie | 0.01 | | |
| 27 | STOKES (.9) | Stokes/Moodie | 0.9 | | |
| 1 | ADAMS (1) | Mining Loc#1, Mining Loc#2 | 0 | | |

Note: Zero delivery is due to lack of mine activity

| | | | |
|--------|------|----|------------|
| Totals | 0.91 | 91 | 164.253635 |
|--------|------|----|------------|

| | | | | |
|-------------|----------------------|----------------------|------|--|
| Thomas Div. | 1.66 | | | |
| 14 | HILLIS (.39) | Thomas/ Stokes Ditch | 0.33 | |
| 26 | STAUBER (.34) | Thomas/ Stokes Ditch | 0.33 | |
| 29 | WILL THOMAS (.33) | Thomas/ Stokes Ditch | 0.33 | |
| 30 | CHARLES THOMAS (.33) | Thomas/ Stokes Ditch | 0.33 | |
| 31 | JENELLE THOMAS (.27) | Thomas/ Stokes Ditch | 0.33 | |

| | | | |
|--------|------|----|------------|
| Totals | 1.65 | 91 | 297.822525 |
|--------|------|----|------------|

| | | | | |
|--------------|-----------------------------------|------------------|------|--|
| Maxwell Div. | 0.18 | | | |
| 16 | MAXWELL (.09) | Maxwell Pipeline | 0.09 | |
| 16 | MAXWELL (.03) | Maxwell Pipeline | 0.03 | |
| 16 | MAXWELL-domestic/irrigation (.02) | Maxwell Pipeline | 0.02 | |
| 16 | MAXWELL-domestic (.04) | Maxwell Pipeline | 0.04 | |

| | | | |
|--------|------|----|----------|
| Totals | 0.18 | 91 | 32.48973 |
|--------|------|----|----------|

Delivery Volumes for Diversions **District 75E**

| User ID | Username | Diversion Name(s) | Diversion rate April- June | Days Delivered | Acre Feet Delivered |
|---------------|---------------|---------------------------------|-------------------------------|-------------------|------------------------|
| Maxwell Power | 0.69 | MAXWELL-power/not regulated(.6) | 0 | | |
| seperate 16 | | Maxwell Pipeline | | | |
| 23 | RHOADES (.04) | Maxwell Pipeline | 0.04 | | |
| 23 | RHOADES (.05) | Maxwell Pipeline | 0.05 | | |
| | | | | | |
| | | | | | |

| | | | |
|--------|------|----|-----------|
| Totals | 0.09 | 91 | 16.244865 |
|--------|------|----|-----------|

Note: Pipeline goes to Pelton wheel and discharges to pond. Weir to Rhoades discharges to another pipeline.
Balance of pond discharge goes back to creek

| | | | | | |
|-------------|---------------------------|--------------------|-----|--|--|
| Savage Div. | 1.29 | | | | |
| 4 | WILLIAMS/BARINAGA (.09) | Savage Ranch Ditch | 0.1 | | |
| 5 | BOURDON AND HARTLEY (.23) | Savage Ranch Ditch | 0.1 | | |
| 19 | MAULEM (.1) | Savage Ranch Ditch | 0.1 | | |
| 20 | ODELL (.03) | Savage Ranch Ditch | 0.1 | | |
| 21 | OLSEN (.15) | Savage Ranch Ditch | 0.1 | | |
| 25 | SNEED (.04) | Savage Ranch Ditch | 0.1 | | |
| 32 | WAITE (.41) | Savage Ranch Ditch | 0.1 | | |
| 10 | GEIDEL (.12) | Savage Ranch Ditch | 0.1 | | |
| 11 | GOOBY (.12) | Savage Ranch Ditch | 0.1 | | |

| | | | |
|--------|-----|----|-----------|
| Totals | 0.9 | 81 | 144.59715 |
|--------|-----|----|-----------|

Note: Delivery ditch not able to hold full diversion rate

Delivery Volumes for Diversions District 75E

| User ID | Username | Diversion Name(s) | Diversion rate April- June | Days Delivered | Acre Feet Delivered |
|------------|----------------------------------|-------------------|-------------------------------|-------------------|------------------------|
| Lower Div. | 2.14/ non-delivery - .5 net=1.64 | | | | |
| 2 | ANDERSON (.01) | Lower Ditch | 0.09 | | |
| 2 | ANDERSON (.01) | Lower Ditch | 0.09 | | |
| 3 | ARRINGTON (.04) | Lower Ditch | 0.09 | | |
| 3 | ARRINGTON (.05) | Lower Ditch | 0.09 | | |
| 3 | ARRINGTON (.03) | Lower Ditch | 0.09 | | |
| 3 | ARRINGTON (.04) | Lower Ditch | 0.09 | | |
| 7 | CLAY (.05) | Lower Ditch | 0 | | |
| 7 | CLAY (.04) | Lower Ditch | 0 | | |
| 8 | FARLEY (.07) | Lower Ditch | 0 | | |
| 8 | FARLEY (.01) | Lower Ditch | 0 | | |
| 9 | HOWARTH-NOTT (.02) | Lower Ditch | 0.09 | | |
| 9 | HOWARTH-NOTT (.03) | Lower Ditch | 0.09 | | |
| 12 | GOSACK (.04) | Lower Ditch | 0.09 | | |
| 12 | GOSACK (.05) | Lower Ditch | 0.09 | | |
| 13 | HEFFNER (.03) | Lower Ditch | 0.09 | | |
| 13 | HEFFNER (.04) | Lower Ditch | 0.09 | | |
| 13 | HEFFNER (.03) | Lower Ditch | 0.09 | | |
| 13 | HEFFNER (.05) | Lower Ditch | 0.09 | | |
| 15 | LEWIS (.1) | Lower Ditch | 0.09 | | |
| 22 | PENSCO (.03) | Lower Ditch | 0.09 | | |
| 22 | PENSCO (.04) | Lower Ditch | 0.09 | | |
| 23 | RHOADES (.1) | Lower Ditch | 0.09 | | |
| 24 | SHEFTS (.04) | Lower Ditch | 0 | | |
| 24 | SHEFTS (.05) | Lower Ditch | 0 | | |
| 28 | STOUT (.07) | Lower Ditch | 0 | | |
| 28 | STOUT (.1) | Lower Ditch | 0 | | |
| 33 | WONG-MCCLAIN (.03) | Lower Ditch | 0 | | |
| 33 | WONG-MCCLAIN (.04) | Lower Ditch | 0 | | |
| Totals | | | 1.62 | 91 | 292.40757 |

Note: Zero delivery rate on lower diversion is due to lack of delivery system to individual properties.

Delivery Volumes for Diversions District 75E

| Diversion rate | Days | Acre Feet | Diversion rate | Days | Acre Feet | Total Acre Feet |
|----------------|-----------|-----------|----------------|-----------|-----------|-----------------|
| July-August | Delivered | Delivered | Sept-Oct | Delivered | Delivered | Delivered |
| 0.07 | | | 0.05 | | | |
| 0.07 | | | 0.05 | | | |
| 0.07 | | | 0.05 | | | |
| 0.07 | | | 0.05 | | | |
| 0.07 | | | 0.05 | | | |
| 0.07 | | | 0.05 | | | |
| 0.07 | | | 0.05 | | | |
| 0.07 | | | 0.05 | | | |
| 0.07 | | | 0.05 | | | |
| 0.07 | | | 0.05 | | | |
| 0.07 | | | 0.05 | | | |
| 0.07 | | | 0.05 | | | |
| 0.07 | | | 0.05 | | | |
| 0.07 | | | 0.05 | | | |
| 0.07 | | | 0.05 | | | |
| 0.07 | | | 0.05 | | | |
| 0.07 | | | 0.05 | | | |
| 0.07 | | | 0.05 | | | |
| 0.07 | | | 0.05 | | | |
| 0.07 | | | 0.05 | | | |
| 0 | | | 0 | | | |
| 0 | | | 0 | | | |
| 0 | | | 0 | | | |
| 0 | | | 0 | | | |
| 0 | | | 0 | | | |
| 0 | | | 0 | | | |
| 0 | | | 0 | | | |
| 0 | | | 0 | | | |
| 0 | | | 0 | | | |
| 0 | | | 0 | | | |
| 1.26 | 62 | 154.95102 | 0.9 | 61 | 108.89415 | 556.25274 |

Delivery Volumes for Diversions **District 75E**

| Diversions | Rate | Days | Acres | Feet | Rate | Days | Gallons | Feet |
|-------------|-----------|-----------|-----------|----------|-----------|-----------|-----------|-----------|
| July-August | Delivered | Delivered | Delivered | Sept-Oct | Delivered | Delivered | Delivered | Delivered |
| 0.01 | | | | 0.01 | | | | |
| 0.6 | | | | 0.4 | | | | |

| | | | | | | |
|------|----|----------|------|----|-----------|-----------|
| 0.61 | 62 | 75.01597 | 0.41 | 61 | 49.607335 | 288.87694 |
|------|----|----------|------|----|-----------|-----------|

| | | | |
|-------|--|-------|--|
| 0.028 | | 0.028 | |
| 0.028 | | 0.028 | |
| 0.028 | | 0.028 | |
| 0.028 | | 0.028 | |

| | | | | | | |
|------|----|----------|------|----|--------|------------|
| 0.14 | 62 | 17.21678 | 0.14 | 30 | 8.3307 | 323.370005 |
|------|----|----------|------|----|--------|------------|

| | | | |
|------|--|------|--|
| 0.09 | | 0.09 | |
| 0.03 | | 0.03 | |
| 0.02 | | 0.02 | |
| 0.04 | | 0.04 | |

| | | | | | | |
|------|----|----------|------|----|----------|----------|
| 0.18 | 62 | 22.13586 | 0.18 | 61 | 21.77883 | 76.40442 |
|------|----|----------|------|----|----------|----------|

Delivery Volumes for Diversions **District 75E**

| Diversi on rate | Days | Acre Feet | Diversi on rate | Days | Acre Feet | Total Acre Feet |
|----------------------------------|------------------|------------------|----------------------------------|------------------|------------------|------------------------|
| July-August | Delivered | Delivered | Sept-Oct | Delivered | Delivered | Delivered |

| |
|------|
| 0 |
| 0.02 |
| 0.03 |
| |
| |

| |
|------|
| 0 |
| 0.02 |
| 0.03 |
| |
| |

| | | | | | | |
|------|----|---------|------|----|----------|----------|
| 0.05 | 62 | 6.14885 | 0.05 | 15 | 1.487625 | 23.88134 |
|------|----|---------|------|----|----------|----------|

| |
|-------|
| 0.033 |
| 0.033 |
| 0.033 |
| 0.033 |
| 0.033 |
| 0.033 |
| 0.033 |
| 0 |
| 0 |
| 0.033 |

| |
|---|
| 0 |
| 0 |
| 0 |
| 0 |
| 0 |
| 0 |
| 0 |
| 0 |
| 0 |
| 0 |

| | | | | | | |
|-------|----|-----------|---|---|---|-------------|
| 0.231 | 15 | 6.8728275 | 0 | 0 | 0 | 151.4699775 |
|-------|----|-----------|---|---|---|-------------|

Stokes/Moody

Thomas

Google earth

Google earth

feet
meters

2000

700

Moose Cr. / Stormy Peak Road



Google earth





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

February 27, 2014

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

Steve Adams
1411 Bryan Ave
Salmon ID 83467

Water District 75E

Dear Watermaster:

Enclosed herewith is a copy of the Watermaster's Annual Report for the past season.

The same has been prepared by the watermaster and approved by this Department in conformity with Sections 42-610, 42-614 and 42-615, Idaho Code.

During the 1993 legislative session, the legislature enacted a new law which amends Section 42-619(9), Idaho Code and removes the independent financial audit requirement for most state water districts. The new law, referenced by Section 67-450B, Idaho Code (copy enclosed) identifies minimum audit requirements for all local government entities. Under the new statute, the governing body of any local government entity (i.e.; water district) whose annual budget does not exceed fifty thousand dollars (\$50,000) or less does not have to have an independent public account firm conduct a financial audit every few years as previously required by Section 42-619(9).

Please note that only the statutory requirement regarding the independent financial audit has been changed. Districts handling their own fund (i.e.; districts who collect and / or disburse their own funds) must still submit their own statement of the water district's financial affairs at the end of each fiscal year. As recommended in the Department's February 16, 1993 letter and the 1993 Watermaster Handbook, a copy of the financial statement may be submitted either with the annual water masters report or with the minutes of the annual meeting for the ensuing year. An example of an annual financial statement may be found in Appendix C of the 1993 Watermaster Handbook.

The purpose of this letter is to remind all water districts that workers compensation insurance is required for all water district employees. This requirement applies to all water districts in Idaho, regardless of annual budget. Insurance should be applicable at least to all paid water district staff, including the water master as well as watermaster assistants, advisory committee, secretary and treasurer. The costs associated with workers compensation insurance is paid directly by the water district and should be considered an expense of the district. For information about obtaining insurance costs etc., please contact the Idaho State Insurance Fund. The State Insurance Fund has offices in Boise, Coeur d'Alene, Idaho Falls, Pocatello and Twin Falls. Water Districts are also reminded that all paid water district staff may be subject to state and federal taxes. These tax requirements will vary depending on salaries and total income of each watermaster or employee. In many water districts, particularly smaller districts with part-time staff, payment of watermaster or each employee. Districts may wish to contact the State Tax Commission or the Internal Revenue Service for information about state and federal withholding taxes.

Sincerely,

A handwritten signature in black ink that reads "Dennis M. Dunn". The signature is written in a cursive style with a large, stylized "D" at the beginning and a long, sweeping underline.

Dennis M Dunn
Sr. Water Right Agent

Enclosure

DMD:sc